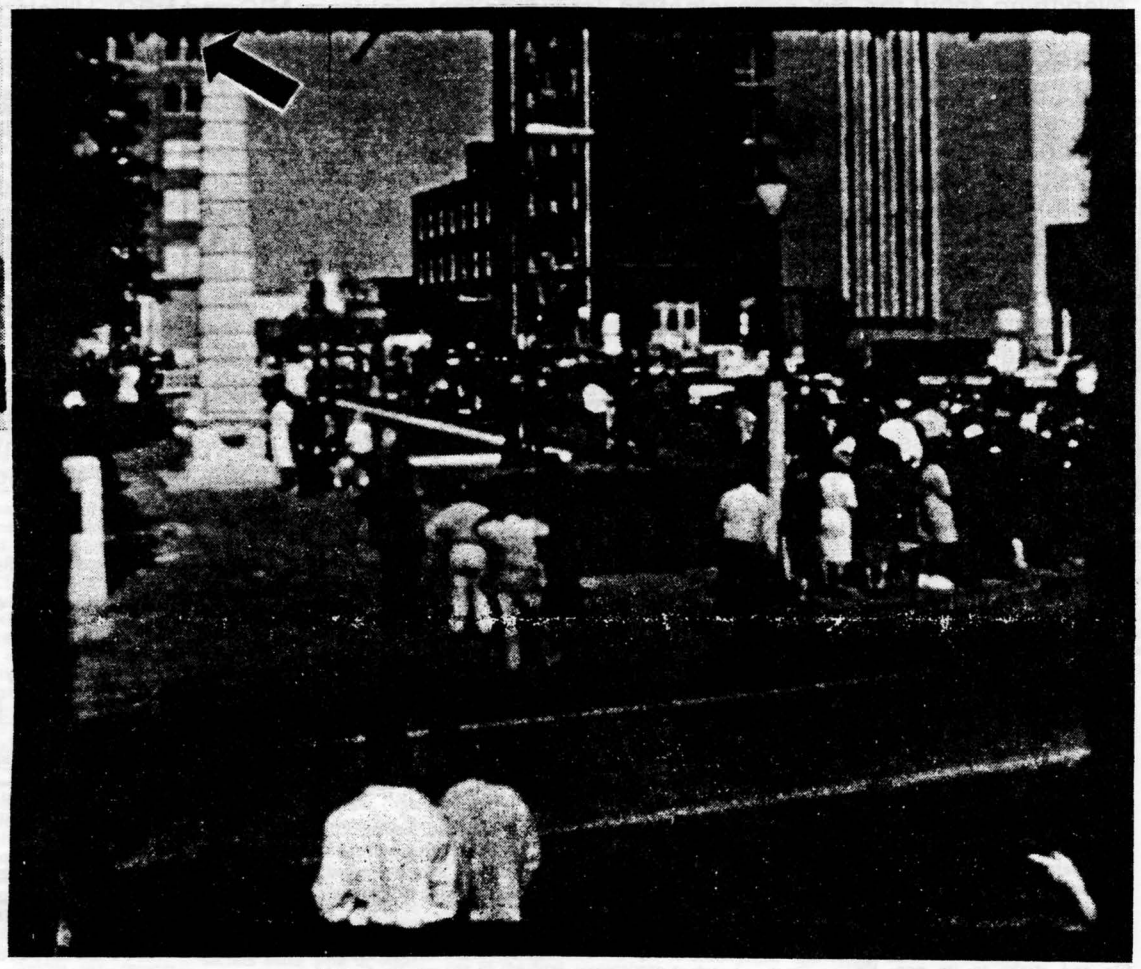
COVERUPS!

Number 11 | Gary Mack, Editor & Publisher | June, 1983

Dallas News: Kurt Wallace

Charles L. Bronson ... "You can see some movement."

For those who've never seen it, and that includes the Justice Dept, a frame from the Bronson film. Not only is there movement in all 3 windows on the sixth floor, there's color on the images which does not match the known color of the boxes. Film was shot at exact moment JFK was due in the Plaza. Even if LHO was there, he had two assistants - and a living witness places LHO in the lunchroom at about this time!



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DALLAS POLICE RESPONSIBLE FOR CROSSTALK THEORY

by Gary Mack

Long before researcher Steve Barber noticed Sheriff Bill Decker on both channels of the Dallas Police tape, a DPD officer laid the groundwork for what became the "crosstalk theory."

It was January 4, 1979, and Captain Jim Bowles was meeting with at least two reporters—Jerry Cohen of the Los Angeles Times and Patti Kilday of the Dallas Times Herald. A local CBS reporter may have been there, but definitely present was Officer H. B. McLain and Public Information Officer Bob Shaw. This was just one week after McLain testified at the HSCA, and, based on his first listening to the recordings, he was saying the open mic couldn't have been his.

While Bowles did not notice the Decker crosstalk, he accurately quoted crosstalk from another officer:

"Now we'll move on, still at 12:34, there's a lot of radio traffic at that 34th minute. Background noise, you have, uh, a voice comes on in the background faintly and says 'Want me to still hold this traffic on Stemmons 'til we find out something, or let it go?' And simultaneously on Channel 2 we have '190, Do you want me to still hold this traffic on Stemmons 'til we find out something, or let it go?'

"What we have is the transmission on Channel 2 being picked up on a receiver on Channel 1 and feeding the Channel 2 broadcast in a rebroadcast from 2 to 1...What the significance is...the transmitter is close enough, and sufficiently at ease to pick up a transmission that is being broadcast over an outside speaker on a unit monitoring Channel 2."

In this meeting, recorded by the Dallas Police, Bowles is heard explaining why the crosstalk meant the open mic must have been out at the Trade Mart and could not have recorded the shots in Dealey Plaza. But he said something else, too, something very disturbing.

Near the end of the interview, Cohen asked an intelligent question: Is this the original tape (from which Bowles had been quoting)? "That's a copy of it. This tape was made off of one CBS made for their production some years ago, and they used the Warren Commission tape."

So in January 1979 Bowles was using a dub he got from CBS! Yet in FBI interviews conducted in August and September 1980, Bowles said he had kept a tape copy from the originals when he made the official DPD transcript for the Warren Commission (see March 1982 TCI for part of the FBI report, which, in its complete form, was obtained by Harold Weisberg). Bowles later made another tape copy for the Ramsey Panel, which used it for some of its work and conclusions.

Early in 1979 I made a phone call to Bernie Birnbaum, an executive producer at CBS in New York who has been involved in all of their programs about the assassination. Birnbaum said CBS has film and tape copies of almost everything about the JFK assassination, including material from ABC and NBC. He also said CBS got a copy of the DPD tapes in 1965 or 1966, but he would not reveal their source.

To begin with, there is no indication the WC ever had a copy of the DPD recording. In the mid-70's some researchers filed FOI's for it and were told no tape could be found. Yet Bowles was under the impression the WC did have a tape and CBS had a dub made from it. I've heard Bowles' copy and it's far superior to any circulating among the critics (until recently).

Secondly, the Ramsey Panel seemed to go out of it's way to avoid studies that would have revealed the Dictabelt in evidence is a copy, not the original. Since that dub could have been made by the DPD, one wonders if Bowles, who headed the radio division in 1963, had some first hand knowledge about the crosstalk.

There's something wrong with this whole crosstalk story and how it has developed over the years. I can't quite put my finger on it, yet, but let me go on record this way: I believe the shots were recorded. Maybe one or two shots were unidentified by the BBN study, but 4 shots were definitely recorded—three from an upper floor of the TSBD and one from behind the picket fence on the knoll.

I also believe the DPD recording in evidence is not the original. It is a dub, a copy made from the original and altered either purposely or accidentally. While the need to alter remains unknown, I think those involved never suspected the assassination was recorded. In the future, photographs and films will confirm the accuracy of the BBN analysis for the HSCA. And I suspect there is at least one more recording of the shots that the government *does* know about.

DMN 6-27-83

Officials watch for successor to jailed Mafia boss Marcello

Associated Press

NEW ORLEANS — With the imprisonment of reputed mob boss Carlos Marcello, the Gulf Coast Mafia leadership is up for grabs, prosecutors say.

Carlos Marcello

Federal authorities say they are watching the situation, however, and are trying to make sure the Southern Mafia maintains its low profile and sticks to its nonviolent tradition.

"Someone always tries to come in and fill the void," said L. Eades Hogue, chief of the Justice Department Organized Strike Force in New Orleans. "We have to be vigilant and sensitive to the changes and be prepared to deal with them."

Prosecutors say they expect one of Marcello's longtime associates to take over his role.

The question, they say, is whether an outsider will try to challenge the new boss.

Marcello was sent June 8 to a federal penitentiary in Missouri. His sentence stems from the FBI investigation of bribery in labor unions that was code-named Brilab. During the investigation, Marcello was charged with racketeering.

He was convicted in 1981 and sentenced to seven years in prison.

When his last appeal was denied, federal officials — saying they had evidence that Marcello was planning to flee the United States — asked that Marcello immediately begin his prison sentence.

During the Brilab trial, investigators secretly taped hundreds of hours of Marcello's telephone conversations and reportedly found no evidence that he was involved in loan sharking, drug trafficking or extortion.

Instead, investigators say, Marcello appeared to be interested primarily in his real estate business.

Marcello, 73, has been described by authorities as one of the 10 most powerful Mafia bosses in the country. Federal officials have said he commanded the small, informally organized group that controls organized crime along the Gulf Coast from Louisiana to Florida.

But some authorities say Marcello's dominance is more myth than fact. They also say the area Mafia has been markedly resistant to the bloody power struggles and spectacular indictments that plague most crime families elsewhere.

Cleburne Times-Review 6-20-83

Castro's Spies Busy In U.S.

MIAMI (UPI) — Fidel Castro's spy network so effective it has infiltrated virtually every anti-Castro organization in the United States, has even helped FBI agents foil assassination attempts on the Cuban leader, officials say.

"The Cubans have all the exile organizations and even the terrorist organizations ... thoroughly penetrated," said Wayne Smith, a former State Department specialist on Cuban affairs.

Leaders of exile groups like Brigade 2506, Alpha 66 and Abdala all say they have encountered Cuban spies in their midst, according to a story in the Miami Herald Sunday.

Cuban intelligence sources have been so effective they have actually tipped off federal authorities on planned attacks on the lives of Cuban officials — including Castro — the Herald reported.

In once such incident in the fall of 1979, Castro had agreed to speak at the United Nations in New York. The Oct. 8 trip was to be his first visit to the United States in 19 years and Andres Nazario Sargen, the head of Alpha-66, planned with exile leader Antonio Veciana to kill Castro.

But shortly before the visit, an unidentified man in Miami stepped out from a doorway and shot Veciana behind the ear. He was shaken but not seriously injured.

"I believe Cuba was trying to kill me because they knew we were proceeding in a plot to kill Castro," Veciana said.

Several days late, the Cuban government called U.S. officials and told them of the plot to kill Castro. The night before Castro's scheduled arrival, Secret Service men and FBI agents converged on Sargen, Perez and seven other exiles in a Manhattan apartment.

Castro has long boasted about his intelligence network. In a 1961 speech, he explained how his spies, posing as "anti-Castroites," slip into the "ranks of the enemy" and sabotage them.

Federal officials say Castro is not exaggerating.

"I can only say the (Nubian agents) have infiltrated most, of not all, anti-Castro organizations," said Arthur Nehrbass, former head of the FBI office in Miami who is now chief of the Metro-Dade Organized Crime Bureau.

(This may be just a poorly written UPI story, but it really does imply that an FBI agent shot Veciana! Just as disturbing is the apparent fact that, at the the time of the HSCA investigation, Veciana was still trying to kill Castro. Is he really credible in regards to the David Phillips/Maurice Bishop/Lee Oswald story, or did he invent the alleged Dallas meeting to further discredit the deserving CIA?)

Death Of JFK Veiled By U.S. Secrecy

By TOM TIEDE

WASHINGTON (NEA) — It has been almost 20 years since John F. Kennedy was murdered on a street in Dallas, yet it doesn't seem that long at the National Archives. Many of the federal records of the assassination are kept in the archives, and their presence has been frozen in time.

The bloodstained clothes the president wore are packed in boxes. The gun that is said to have been used is preserved and operable. The recollections and testimonies of more than 500 people have been committed to microfilm, and so have the gruesome details of medical and ballistic reports.

Indeed, it all seems like yesterday at the archives. The numbing horror and the assault on the senses have not aged. The tape-recorded sound of gunfire is just as unreal, the frame by frame moment of impact has not changed; even the newspaper headlines seem to be as shocking as ever.

And there is one other thing that's the same.

The murder records are still publicly incomplete.

The National Archives has 300 cubic feet of assassination material. But it's not all available to the general population. Despite the passage of two decades, and the arguments of journalists and researchers, the government continues to withhold about 10 percent of the official record.

The archivists say that is a relatively trivial percentage. And other federal officers fully concur. The official position is that most of the truly important records are open for inspection, and none of the other documents have any significant bearing on the facts of the murder.

But critics of the secrecy disagree. They have argued for years that people have a right to see all of the files, and to make up their own minds about their significance. What's more, the critics insist that there are any number of secret records that may have an impact on the case.

The autopsy X-rays, for example. They were taken in the Dallas hospital, shortly after the president died, and they are said to show the precise nature of his wounds. Researchers say the X-rays are critical to the assassination study, yet few people outside government have seen them.

Hundreds of people have tried to see the X-rays. Historian Michael Kurtz is one of them. He is the author of the book "Crime of the Century," and he had to write it without examining the most important evidence of the crime. Dr. Kurtz asked to see the X-rays, but he was flatly turned down.

The archives is only one agency withholding data; a string of other offices here is doing it as well.

The FBI has a mountain of assassination material, for instance, much of it classified. The State Department, the Secret Service and the CIA have similar papers of their own. One guess is that there are at least a dozen agencies in Washington that are keeping assassination records in hiding.

Many of the secrets are being kept indefinitely. Some of them may never be revealed. Marion Johnson, an official at the National Archives, says documents that are protected by specific legislation, such as income tax records, cannot by law be released and will probably remain secret forever.

Johnson is the archivist in charge of the Warren Commission material. He says that, besides tax records, the secret files contain information relating to national security, to confidential sources, to interagency law enforcement, and to the commission's off-the-record executive conferences.

Johnson is a rumpled man, somewhat laid-back, and he doesn't act as if he's sitting on any deep dark revelations. He says he has his own opinions about the assassination, but he suggests he also agrees with the original findings; in any event, he couldn't release the archival secrets if he wanted.

Johnson reviews the classified records periodically, but he has no authority to act on them. If he thinks a document may be ready for declassification, he sends it to the agency from which it came. The agency makes the decisions, and the archives waits. "It can be a slow process," Johnson says.

"It's unfair," he grumbles.

It may likewise be suspicious. Kurtz says the presidential group that investigated the assassination in 1964, the Warren Commission, used the X-rays to conclude that Kennedy was shot by a lone gunman, Lee Harvey Oswald. But Kurtz and others believe there was a conspiracy to kill the president.

The film then is vital to the debate. Kurtz says it might even resolve the question once and for all. If the X-rays show that the murder wounds were substantially what they were said to be, then the Warren Commission's judgment is strengthened; if not, the American public deserves to know.

So Kurtz and other researchers think the secret records in the archives should be declassified. And they say that goes for secrets being held in other corners of the government.

It can be for sure. The National Archives has been waiting for some declassifications since it was founded in 1934. It has collected 1.3 million cubic feet of records, including 15 million pages of classified documents, and some of the latter pile is said to have been secret since the First World War.

Well, nobody knows that for certain. But there are definitely secrets from World War II. It wasn't too long ago, for instance, that a document concerning a 1944 "aerial bolo" was declassified; the bolo was a half-baked scheme to use a big slingshot to, ah, shoot down German buzz bombs.

The aerial bolo was made public after about 30 years behind the padlocks. And Johnson suspects that most of the remaining Warren Commission secrets will be released in a like period of time. If so, it means that people who want to see a more complete assassination record may have to wait until 1994.

And they may have to wait even longer to see the autopsy films. Johnson says the X-rays are classified under different arrangements. The government has allowed the Kennedy family to make decisions about the pictures, and some officials think the family may want to hide them permanently.

That decision would naturally outrage assassination researchers. Many journalists and writers think it would violate the traditional democratic doctrine of full disclosure. "If we want to get to the truth," says writer Harold Weisberg, "all the records should be made public as soon as possible."

Weisberg is 70 years old, and a kind of elder statesman in the macabre industry of assassination literature. He has written six books on the subject, including "Postmortem." He was one of the first researchers to sue the government in an effort to win the right to look at classified records. He says he is still fighting for freedom of the information. Because the government can't be trusted. "I'm glad I live in this country," he says. "In other places I'd be arrested for trying to uncover secrets. But the fact is that our government has lied to us about the assassination."

Weisberg says the government never proved that Oswald shot the president. And it has cavalierly discounted the evidence of a conspiracy. He says the Warren Commission set out to document a preconceived verdict, and afterward it tried to hide the real truth in the secret archives.

The writer says the real truth is that John Kennedy was killed as a result of a conspiracy that may have involved U.S. government complicity. That's why government investigators tried to cover it up. Weisberg says the FBI was principally involved; it broke the law to hide the facts.

"I'll give you an example. The Warren Commission said one of the bullets entered Kennedy's neck, and came through the center of the knot on his tie. That was the angle they said that proved Oswald fired from the window of the book depository building. It was their big argument.

"But, actually, the bullet didn't go through the center of the knot. The FBI made it look that way, to support the government's case. The real hole was a little off angle, and so the FBI undid the knot and retied it. It was illegal, of course; but they put the hole in the center."

Weisberg says he has dozens of other examples of FBI manipulations. And that's why he wants the wraps taken off all the records in the archives. He believes the secrets on the whole will support his contentions, and force the government to reinvestigate the Kennedy murder, this time honestly.

But that may be wishful thinking. The odds are not good it will happen. The government has resisted all calls to take a second look at the assassination, and it doesn't seem to be weakening now. One officer in Ronald Reagan's White House says a new investigation would be "just asinine."

As for the classified records, the White House officer says the secrecy is probably for the best. "If the autopsy shots were released," he explains, "they would be printed in detail in every lurid publication in the country. That wouldn't be freedom of information: it would be tasteless exploitation."

Besides, Washington authorities doubt the secret records would resolve anything even if there was a full disclosure. Rather, they might only refuel the conspiracy theorists. "Folks like Harold Weisberg are single minded," says a Secret Service agent, "they can't be budged by the facts."

And what are the facts? People who have seen the bulk of the records in the National Archives, classified and unclassified, say the evidence is simply overwhelming that Oswald, and Oswald alone, shot the president. That's another part of the historic incident that hasn't changed over the years.

FWST 6-17-83

FWST 6-26-83

MEDIA MATTERS: Book author and former ABC-TV 20/20 investigative reporter Hugh Aynesworth, who had been announced as joining the *Star-Telegram* staff, won't be able to make the shift after all because of pressing personal problems. He has been free-lancing, based in Dallas County.

(WHEW! A close call - insiders say we can thank his son for the change in plans.)

(From Leonard Maltin's book "TV Movies" - '82 edition)

Tall Target, The (1951) 78m. *** D: Anthony Mann. Dick Powell, Paula Raymond, Adolphe Menjou, Marshall Thompson, Ruby Dee, Will Geer. Gripping suspense as detective Powell follows tip that Abraham Lincoln is going to be assassinated during 1861 train ride. Interestingly, Powell's character is named John Kennedy!

RFK killer again denied parole

Associated Press

SOLEDAD, Calif. — A California parole board denied parole for Sirhan Bishara Sirhan again Thursday, 15 years after he assassinated Sen. Robert F. Kennedy at a Los Angeles hotel.

SIRHAN

A three-member panel of the state Board of Prison Terms, which heard eight hours of testimony Wednesday at Soledad State Prison, said the 39-year-old killer would be "a threat to the public safety" if released.

Sirhan, who won't be eligible for parole again for at least two years, watched grimly as Randolph Castro, chairman of the panel, read a statement explaining the decision.

Castro cited a series of incidents from 1971 through April 1983 that he said showed "a continuing pattern of emotional instability."

During testimony, Sirhan pleaded for release so he could return to the Arab world. Although Sirhan's mother is Jordanian, he calls himself "a Palestinian by birth and citizenship" and a supporter of Palestinian nationalism.

"As much as you people hate me, as evidenced by your treatment of me, let's part company," he told the panel. "Let me go back to my homeland."

Kennedy was shot to death in Los Angeles' Ambassador Hotel on June 5, 1968, after winning the California Democratic presidential primary.

Sirhan, then 24, cursed at Kennedy, opened fire with a .22-caliber pistol, and cried out, "I did it for my country."

Last year, a state panel rescinded Sirhan's Sept. 1, 1984, parole date after hearing evidence that he had threatened an author and prison officials while in prison, and the current panel refused to set another date.

After the hearing, Sirhan's lawyer, Luke McKissack, said his client feels like the hearing "has been a massacre."

McKissack, told the panel that 90 percent of the material it used to reach its decision was presented to the 1975 parole panel that decided Sirhan was "psychologically clear" and there was no reason to deny him parole.

McKissack said medical reports indicated Sirhan's "violence potential on the outside would be lower than average."

During the hearing, Sirhan told the panel, "I am a Palestinian by birth and citizenship, although my mother bears a Jordanian passport."

He said that, thanks to the United States, "I have no country."

"Kicking him out of the country with no right to return might be the most satisfactory solution," said McKissack. "Basically, he would disappear into the woodwork."

FRIDAY EVENING, JUNE 17, 1983 ©1983 FORT WORTH STAR-TELEGRAM

Associated Press

EMOTIONS . . . Sirhan Sirhan wipes eyes at press conference.

Sirhan says RFK provoked his own death

SOLEDAD, Calif. (AP) — Bitter at losing another bid for parole, Sirhan Sirhan blamed Robert F. Kennedy for causing "his own death at my hands" and said his own 15 years in prison have not deterred other political assassins.

The 39-year-old convicted assassin listened grimly Thursday as a state parole board ruled that he would pose a "threat to the public safety" if he were freed. He will not be eligible for parole again for at least another two years.

The message of Sirhan's eight-hour parole hearing Wednesday should be "loud and clear: We are not going to tolerate individuals . . . who kill our elected officials," said Rudolph Castro, chairman of the panel representing the state Board of Prison Terms.

In a rare interview afterward, Sirhan said his 15-year imprisonment "did not prevent, say, an Arthur Bremmer from attacking George Wallace."

"My being in prison in 1,975 miles away from San Francisco did not prevent the Squeaky Frommes and Sarah Jane Moores from attempting an assassination on President Ford.

"My being in prison did not deter John Hinckley (from shooting President Reagan). . . and did not prevent Dan White from doing what he did in San Francisco City Hall," Sirhan said.

White, convicted of manslaughter for shooting San Francisco Mayor George Moscone and Supervisor Harvey Milk, lives in the cell next to Sirhan's in Soledad Prison's protective housing unit.

Kennedy was shot to death in Los Angeles' Ambassador Hotel on June 5, 1968, after winning the California primary for the Democratic presidential nomination.

The New York senator "somehow brought about his own death at my hands," said Sirhan, a Jordanian immigrant.

"I regarded him as the savior of the average man in America and I sensed a betrayal when he did propose the sale of 50 Phantom jets to Israel," he said.

Quoting a philosopher as saying a "murdered (man) is not unaccountable for his own murder," Sirhan said Kennedy provoked his own death "in the sense that he wanted to kill my countrymen."

THE ASSASSINATION OF ROBERT F. KENNEDY

Is Bobby's Killer Still Loose?

JANUARY HUSTLER 1979

(This may be the only chance to read the Turner/Christian book, since there have been charges of suppression leveled at the publisher and, even during the book's initial release, it was very hard to find. I've also heard that Random has refused requests from other publishers for paperback rights. Meanwhile, who is going to scientifically analyze the several sound recordings of the shots, and who'll have the guts to publish the results?)

Shortly after midnight on June 5, 1968, Senator Robert F. Kennedy climbed the stage of the Embassy Room in the Ambassador Hotel in Los Angeles to claim victory in the crucial California primary. He had beaten Senator Eugene McCarthy convincingly and was brimming with confidence as he flashed the V sign and exhorted, "On to Chicago! And let's win there!" Then he headed for a press headquarters set up in an adjacent room. Most of the reporters were convinced that the magic Kennedy name and the rising tide of antiwar sentiment would sweep him over Richard Nixon into the White House.

Due to the crush of supporters in the Embassy Room, Kennedy detoured through a pantry after leaving the stage. Suddenly a short, swarthy young man jumped into his path and began firing a pistol. RFK threw up his hands as if to protect his face, then fell backward onto the floor, his arms askew. Aides pounced upon the assailant, who managed to get off several more shots before being subdued.

We—the authors of this article—listened to the news bulletins with disbelief. Turner had campaigned for Congress in San Francisco in the same Democratic primary, with Christian as his manager, on a platform of reopening the John F. Kennedy case. (We lost in a tight race.) The final line of our campaign brochure was now horrifyingly prescient: "To do less not only is indecent but might cost us the life of a future President of John Kennedy's instincts."

The timing was almost surreal, coming at the moment that

Report by William W. Turner & Jonn G. Christian

The authors of this investigative report collaborated on The Assassination of Robert F. Kennedy: A Searching Look at the Conspiracy and Cover-up, 1968-1978 (Random House, $12.95), the product of ten years of research into the RFK murder. At press time there is speculation that a new legal inquiry will be conducted as a result of the work done by Turner and Christian.

Robert Kennedy figured to become President—and thus in a position to command a tough new investigation into his brother's murder. RFK had never really believed that Lee Harvey Oswald had acted alone. In the wake of Dallas he had instructed Daniel P. Moynihan, a trusted member of the Kennedy inner circle (and now junior senator from New York), to mount a private inquiry into whether or not Jimmy Hoffa was involved or the Secret Service bought off. No evidence of either was found. In the ensuing years RFK kept posted on such developments as Jim Garrison's probe in New Orleans. He was, associates confided, biding his time until he controlled the Justice Department. In 1978, RFK's biographer—Dr. Arthur Schlesinger—confirmed these suspicions.

But the circumstances of RFK's own shooting hardly lent substance to the notion of a conspiracy. The suspect, an unemployed Palestinian immigrant named Sirhan Bishara Sirhan, had fired in full view of scores of persons in the pantry, and it seemed a classic "smoking gun" case. Speculation quickly spread that Sirhan was a free-lance Arab terrorist out to take revenge on Kennedy for his support of Israel.

No outsider knew that this simple scenario was discredited almost immediately when Los Angeles County Coroner Dr. Thomas T. Noguchi conducted his autopsy. Noguchi found that RFK had been struck by three shots, all entering from the rear. The fatal bullet had entered behind the right ear and coursed upward into his brain. Powder burns indicated it had been fired point-blank from a distance of no more than one to three inches. But witnesses agreed that Sirhan had not gotten closer than two to three *feet* to Kennedy *from the front.* Sirhan could not have fired the fatal shot.

Upon testifying behind closed doors to the grand jury that indicted Sirhan, Noguchi was approached by an assistant DA who suggested that he had really meant one to three feet, not inches. But Noguchi wouldn't budge. When he subsequently attempted to hold the coroner's inquest usually called for in cases of suspicious death, the District Attorney's Office and the Los Angeles Police Department denied him access to the ballistics evidence.

With a systematic cover-up under way, the press was left to publish laments about the random violence afflicting American society and follow Sirhan's progress through the criminal-justice system. It was not until four weeks after RFK's assassination that we got our first strong whiff that the hapless suspect in an isolation cell had not single-handedly altered the course of history. It came with a phone call from prominent San Francisco attorney George T. Davis, who had been our honorary campaign chairman.

Davis could barely suppress his excitement. A longtime client had bumped into Sirhan on election eve, and as a result the client had received calls warning him to keep quiet. "The Los Angeles authorities won't provide protection," Davis said. "They've taken the position there's no conspiracy, so there's no real threat to my client's life." Davis wanted Turner, with his FBI experience, to size up the story, and Christian, as an ex-ABC newsman, to break it in the press to minimize the danger.

The client turned out to be a self-ordained preacher named Jerry Owen, who billed himself as "The Walking Bible" because of his ability to quote 31,173 verses of the Scriptures. A bulky, ham-fisted man, in the 1930s he had been a sparring partner of heavyweight champion Max Baer and a Hollywood bit actor before a flash of inspiration sent him on the evangelical trail. Owen lived in Orange County, south of Los Angeles, where he traded horses as a sideline to his ministry.

As Turner's tape recorder rolled, Owen told an intricate tale of picking up Sirhan and a companion hitchhiking the day before the California primary election. Sirhan talked about working at a race track and being in the market for a lead pony. The preacher offered to sell him a palomino for $300. Sirhan had Owen stop at the rear entrance to the Ambassador Hotel so he could "see a friend in the kitchen." Others entered the negotiations: the hitchhiking companion, a third man and a woman. The upshot was that the preacher was to deliver the horse to the Ambassador's rear entrance the following night at 11. Sirhan would have the money then. (Four crisp $100 bills were found in his pocket after his arrest.)

However, Owen said he couldn't be there because he had an out-of-town preaching engagement. The next day he recognized Sirhan on television and went straight to the LAPD "like a good citizen." He felt that he nearly had been duped into being a getaway driver.

The story reeked of conspiracy, of course; but was it true? Davis finally prodded the LAPD into sending up two top investigators attached to Special Unit Senator (SUS), the elite squad created for the RFK case. They were Lieutenant Manuel Pena, a veteran detective who controlled the thrust of the investigation, and Sergeant Enrique Hernandez, a polygraph operator. We later learned that both had served tours of duty with the CIA in Latin America.

Pena and Hernandez grilled Owen, trying to get him to admit the palomino-purchase story was false. They gave him a polygraph test and told lawyer Davis that his client "blew the box" (failed). Owen was just trying to grab some cheap publicity, they said. With that the LAPD closed the book on "The Walking Bible."

Although his story was patently

flawed, Owen nonetheless seemed genuinely frightened. We suspected that he had, in fact, known Sirhan but in some way other than he claimed. The publicity motive made no sense. The only news dispatch that had gone out before the LAPD clamped a muzzle on the preacher referred to him as "Mr. X"—at his insistence. The only thing certain was that Owen uncharacteristically didn't want his name in the papers—at least not in connection with the RFK assassination.

Since, in our opinion, the LAPD had defaulted, we began our own inquiry. We learned that the roving preacher had been in brushes with the law from coast to coast. We discovered that the church where he supposedly preached on primary night was closed. [*Editor's Note: Under oath in a court case, Owen insisted that investigators had checked the wrong Calvary Church.*] We were informed by one of his closest colleagues, the Reverend Jonothan Perkins [associated with Gerald L. K. Smith's anti-Semitic Christian Nationalist Crusade] that Owen had been in Los Angeles with a horse and trailer on primary day, saying he was waiting to complete a sale.

"You mean he was supposed to meet Sirhan at the Ambassador the night of the election?" Christian asked Perkins.

"Oh, yes, the night Kennedy was shot," Perkins confirmed.

. . .

In early 1969, Sirhan Sirhan was convicted of first-degree murder in one of the quietest major trials ever. Neither side even hinted at conspiracy. The prosecution's case was damningly simple: Sirhan had been caught in the act, and premeditation was evident from the hand-scrawled entries in his notebooks, such as "Robert F. Kennedy must be assassinated before 5 June '68." The defense tried to spare him the death penalty by proving "diminished capacity"—insanity. Its star witness was Dr. Bernard Diamond, a well-regarded psychiatrist, who testified that Sirhan was so susceptible to hypnosis that he could be made to climb the bars of his cell like a monkey. Diamond proposed that Sirhan was in a self-induced trance when he shot Kennedy, and noted that the defendant was "subject to bizarre, dissociated trances, in some of which he programmed himself to be the instrument of assassination."

Despite the tranquillity inside the courtroom, rumors of conspiracy had swirled around the case from the start. At the end of the trial District Attorney Evelle J. Younger felt compelled to issue a statement that all allegations of a plot had been "investigated in depth" and "discredited." But Younger apparently was insecure with his own conclusion, for he overreacted when challenged. When KHJ radio newsman Art Kevin went on the air with a series of "unanswered questions," including the Jerry Owen angle and the polka-dot-dress-girl mystery, Younger was so incensed that he lifted Kevin's press privileges. (The DA backed down when KHJ management threatened to make a public issue of it.)

Younger and the LAPD had had a devil of a time trying to bury the polka-dot-dress girl, who had materialized within minutes of the shooting while a young RFK supporter named Sandy Serrano was being interviewed on the NBC television network. As a hushed throng milled about the scene, Serrano told how she was sitting on the stairs of an emergency exit to escape the stifling heat of the Embassy Room when a young woman with a "funny nose" and wearing a dress with polka dots brushed past her and slipped through the door. She was accompanied by two short, swarthy young men. A short time later, after hearing what sounded like automobile backfires, the same woman and one of the men scurried back down the stairs shouting, "We shot him! We shot him! We killed Kennedy!" The missing man, Serrano would say later, was a dead ringer for Sirhan.

Vincent DiPierro, a waiter who had been in the pantry when the shooting broke out, gave police a statement that dovetailed with Serrano's. DiPierro said he noticed Sirhan lurking by a tray stacker only because "there was a very good-looking girl next to him." They appeared to be together. She had an odd nose and wore a "kind of lousy" polka-dot dress. "Together they were both smiling," DiPierro related. "As he got down, he was smiling. In fact, the minute the first two shots were fired, he still had a very sick-looking smile on his face."

The polka-dot-dress girl haunted Lieutenant Manuel Pena of Special Unit Senator. As Chief of Detectives Robert A. Houghton later recounted: "Manny Pena knew that as long as Miss Serrano stuck to her story, no amount of independent evidence would, in itself, serve to dispel the polka-dot-dress-girl fever, which had by now, in the press and public mind, reached a high point on the thermometer of intrigue."

So Serrano was singled out for special SUS treatment. As Houghton told it, Pena asked Sergeant Enrique Hernandez what he was doing for dinner that night, and suggested he might like to take Sandra Serrano out for an SUS-bought dinner."

When wining and dining failed to produce the desired results, Hernandez took Serrano down to police headquarters and put her on the polygraph. The burly detective demanded to know when her "pack of mistruths" had gotten out of hand. In the intimidating surroundings the young lady was soon whipped. Sobbing, she conceded that she had heard other witnesses talking at Rampart Station after the shooting, and "maybe that's what I'm supposed to have seen."

Serrano was conceding the impossible, since she had described the incident on television *before* she and other witnesses were bundled off to Rampart. But the SUS wrote her off, and now only Vincent DiPierro remained. It was important not to shred the waiter's credibility, however, because he was scheduled to testify at Sirhan's trial. Hernandez broached the possibility of mistaken identity, and in fact had someone in mind. She was a pretty coed named Valerie Schulte, who had presented herself to the police on just that possibility. Apart from the polka-dot dress, however, Schulte's overall description didn't match Serrano's at all: She had been hobbled by an ankle-to-waist cast at the assassination scene. But DiPierro went along with the identification. "There was so much confusion that night," he told Hernandez.

With that, Chief Houghton declared, "SUS closed the vexing case of the polka-dot-dress girl." But it has not stayed closed. FBI documents released in 1976 reveal that no fewer than four additional witnesses spotted Sirhan with a girl of that description inside the hotel. In addition, LAPD Sergeant Paul Sharaga, who drove the first patrol car to respond to the shooting and who set up a command post in the hotel's parking lot, recently divulged how her existence was suppressed even within the LAPD.

Sharaga, who is now retired, recounted that as soon as he wheeled into the lot an older couple ran up to him. "They related that they were outside one of the doors to the Embassy Room," he said, "when a young couple in their early 20s came rushing out. This couple seemed to be in a state of glee, shouting, 'We shot him! We shot him! We killed him!'" Sharaga immediately radioed an all-points bulletin for two suspects, but he was soon approached by LAPD Inspector John Powers, who insisted, "We don't want to make a federal case out of it. We've got the suspect in custody." Powers then canceled the APB himself.

The sergeant wrote up a detailed report on the incident and personally delivered it to the SUS. Two weeks later, when he looked for the file copies at Rampart Station, they were missing. "I inquired from SUS if there was some reason why they came to Rampart and disposed of the copies," Sharaga said, "and their attitude was that they didn't even know what I was talking about."

. . .

Shortly after Sirhan's trial we finally got a break on the Jerry Owen angle. On New Year's Eve 1968, Los Angeles County sheriff's deputies had arrested 17-year-old John Chris Weatherly on auto-theft charges. Weatherly tried to bargain by supplying a tip on the RFK assassination. According to the deputies' report, the youth had been told by an Orange County stables owner named Bill Powers and another cowboy that a preacher and Sirhan Sirhan had borrowed Powers's pickup truck "to take a horse to Los Angeles for sale the day of the Kennedy murder; that when the preacher returned, Sirhan was not with him, but he still had the horse, said he couldn't sell it in L.A."

The report quoted Weatherly as saying the preacher was hostile to Kennedy because if the war was stopped, "the Vietnamese would come to this country via Honolulu or Hawaii, and God would get angry and cause a tidal wave."

The Sheriff's Department dispatched this explosive report to the SUS, which interrogated Weatherly and did a follow-up investigation. But the SUS handled it like a military secret, and not a word about it leaked during Sirhan's trial. The report came into our possession through sheer luck, when the SUS inadvertently stuck it in with an unclassified document.

Bill Powers was a cowboy straight out of a Marlboro ad: rawboned, laconic—and thoroughly believable. He told us that he operated Wild Bill's Stables, not far from Owen's home, and that the preacher often bought bundles of hay for his horses. The preacher had also bought an old pickup truck from him, but, being short of cash, owed $300 on it. One day Owen drove up to the stables in a luxurious Lincoln Continental and pulled out a fat roll of $1,000 bills. "I'll pay you for that truck," Owen said, peeling off one of the bills.

Powers pegged this memorable incident as on or about June 3, 1968—the day before the primary. Owen was in an expansive mood, Powers said, and introduced him to two passengers in the Continental: a huge black man who talked about his days as a boxer, as well as a dark young man in the backseat who said nothing. A few days later, when he saw Sirhan's picture in the papers, Powers thought he recognized him as the backseat passenger.

Christian contacted Manuel "Chick" Gutierrez and Dudley Varney, the two SUS detectives who had questioned Weatherly. At first they were evasive, then derisive. "You understand cowboys?" Varney asked. "Well, they're a breed all to themselves. They talk their own language; they have their own humor. The humor will throw you. You can't understand 'em. They're wild!"

Since the LAPD was obviously stonewalling, Christian decided to put on a bit of heat by briefing ace KHJ-TV newscaster Baxter Ward. Ward interviewed Weatherly and was so impressed with his sincerity that he aired the story. But first he carefully paraphrased the script and altered names, places and events to protect Weatherly. The newsman hoped, he said afterward, that the bombshell account would trigger an official review of the RFK case.

A few days after the broadcast, Weatherly pulled into the driveway of his home in the early-morning hours when a shot from a high-powered rifle smashed through a window and narrowly missed his head. Nobody thought *that* was just wild cowboy humor.

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One morning in August 1971, criminalist William W. Harper noticed a nondescript car tagging along behind him as he drove away from his Pasadena home. He made several random turns, but the car followed. He accelerated, and the pursuer gave chase. Just as Harper hit a dip in the road, he heard a muffled explosion and the slap of a bullet striking metal. If the dip hadn't flung the car's rear end into the air, the bullet might have smashed through the rear windshield and into his head instead of harmlessly denting the car's bumper.

Harper, the father of the "second gun" theory in the RFK case, was scheduled to testify the following day before a grand jury exploring the handling—or mishandling—of pertinent firearms evidence.

An expert who had testified at more than 300 trials around the country, Harper had acquired a healthy skepticism about the work of the LAPD's crime-lab chief, DeWayne Wolfer. As a public service, he habitually restudied Wolfer's findings in major cases, and in late 1970, after Sirhan's appeals had been exhausted, he gained access to two relatively unmutilated bullets that Wolfer had testified were fired from Sirhan's gun "to the exclusion of all other weapons in the world." The bullets, removed from Kennedy and injured newsman William Weisel, should have had the same distinctive markings if they had been fired from the same gun. But Harper concluded that he could "find no individual characteristics in common between these two bullets."

The news stunned Los Angeles officialdom. Tough-talking Police Chief Edward M. Davis and DA Joseph P. Busch, Evelle Younger's handpicked successor, announced that they would look into the matter. One of the first things their investigators did was question Thane Eugene Cesar, an armed security guard who had been at Kennedy's elbow when the shooting erupted. A Lockheed Aircraft employee—he worked with its CIA-controlled U-2 spy-plane facility—Cesar was moonlighting for a private firm hired by the Ambassador for crowd control. The LAPD had removed themselves under suspicious circumstances.

Minutes after the shooting, witness Donald Schulman, a stringer for CBS News, had gone on the air and tersely recounted: "A Caucasian gentleman stepped out and fired three times; the security guard hit Kennedy all three times." A moment later he explained: "The man who stepped out fired three times at Kennedy, hit him all three times, and the security guard then fired back . . . hitting him [Sirhan] too."

"Did you ever fire a shot?" the investigators asked Cesar.

"No," he replied. He said he had carried a .38 that night, but he made a slip. Cesar remarked that after the assassination he might also have shown another

gun, his .22-caliber revolver (the same caliber as the bullets that hit Kennedy and Weisel), to a policeman, but earlier he had claimed to have sold the weapon three months before. The investigators picked up on this contradiction, but as the transcript clearly shows, their primary concern was whether or not any outsiders knew about it.

We did, and we traced the man who had bought the gun in question to his retirement home in Arkansas. He was Jim Yoder, who had worked with Cesar at Lockheed. Yoder said that Cesar had given him a receipt for the .22 revolver dated September 6, 1968—three months *after* the assassination. Yes, Yoder confirmed, the LAPD had called him, and he had given them the same information. The gun? It had been taken in a burglary at about the same time as the call from the police.

In the meantime, DA Busch was pitching a grand jury, although his target was not Cesar but rather the "second gun" theorists themselves. Busch intimated that someone in the County Clerk's Office, where the evidence had been stored, had allowed "unauthorized persons" to "tamper with" the bullets, and that was why they didn't match. Busch's fall guy was to be Christian, who two years earlier had merely looked at Sirhan's notebooks and other printed documents. The DA's investigators confronted Christian with the exhibit-request slips, but Christian noticed that several exhibit numbers had been added in a different hand. He emphatically pronounced them a "crude forgery."

The shabby frame-up fell apart when William Harper, unintimidated by the potshot taken at him, stuck to his findings, and Busch shied away from producing the supposedly "tampered-with" bullets for the grand jury to inspect.

But the "second gun" issue remained in limbo until 1974, after newsman Baxter Ward was elected a Los Angeles County supervisor. Ward, who had been shaken by Weatherly's close call, held a public hearing on the ballistics evidence. In his first open testimony Coroner Noguchi revealed how RFK had been shot in execution style. And two independent experts, New York criminalistics professor Herbert MacDonnell and California state crime-lab veteran Lowell Bradford, concurred with Harper that the Kennedy and Weisel bullets "could not be identified as coming from the same gun."

The Ward hearing predictably was boycotted by the Los Angeles establishment. DeWayne Wolfer refused to appear, on orders of Chief Ed Davis, and DA Busch declined on grounds that the hearing was an "improper forum." However, it did prompt a civil suit by one of the victims in the pantry, union official Paul Shrade, who sought to know if persons other than Sirhan were responsible for his wounds. Over the DA's strenuous objections, presiding Superior Court Judge Robert A. Wenke ordered a panel of experts to refire Sirhan's gun and compare the test bullets with those recovered from the victims.

Unfortunately, .22-caliber bullets are much less susceptible to positive conclusions than larger-caliber slugs, which perhaps is why Mafia hit men have favored them in recent years. The panel could only say that the questioned bullets came from the same model gun as Sirhan's, rather than his particular weapon.

Its report led off with a confusing statement: There was "no substantive or demonstrable evidence to indicate that more than one gun was used." The press jumped the gun by interpreting this to mean that only Sirhan's gun had been fired. "PANEL SAYS ONLY ONE GUN," a typical headline read.

At this point, one of Shrade's lawyers, Vincent Bugliosi, reduced the complex issue to simple arithmetic. Bugliosi, the famed prosecutor of the Manson family and author of *Helter Skelter* (and recently *Til Death Do Us Part*), noted how the LAPD had accounted for eight bullets, the capacity of Sirhan's revolver: Seven were recovered from victims at nearby hospitals, and the eighth had been lost in the ceiling innerspace. Bugliosi remembered an AP news photo taken after the shooting showing two policemen inspecting a hole in a doorjamb just outside the pantry. A ninth bullet?

Bugliosi made the rounds of the precinct stations and learned that the policemen in the photo were Sergeants Robert Rozzi and Charles Wright. Rozzi gave Bugliosi a signed statement in which he said the object in the hole "appeared to be a small-caliber bullet." Over the phone Wright was positive that it was a bullet, but before Bugliosi could get his statement in writing, LAPD brass stepped in and told Wright to say nothing.

The lawyer then obtained statements from Coroner Noguchi and hotel personnel that they had observed what appeared to be two bullet holes in the center post to the pantry's swinging doors. This raised the count to 11; yet the LAPD quickly contended that these holes were actually dents caused by serving carts. Bugliosi soon discovered that the carts were two feet too short and had no protrusions whatsoever.

The LAPD's sad invention suffered the fate it deserved when, in late 1976, an FBI agent approached Bugliosi while the former L.A. prosecutor was on a speaking tour. College police-science professor William A. Bailey said that on June 5, 1968, he had been assigned to head a three-man team of FBI agents to carefully examine the pantry (which he called "the preparation room"). Bailey verified FBI photos released in March 1976. One of them showed two circled holes in the center post. "I (and several other agents) noted at least two (2) small-caliber bullet holes in the center post of the two doors leading from the preparation room," he declared in a signed statement. "There was no question in any of our minds as to the fact that they were bullet holes and were not caused by food carts. . . ."

Other FBI photos show two additional circled holes in the wall to the left of the doors, most likely caused by bullets numbers 12 and 13, and two more that ran the total to 15. Bugliosi told the press, "The time has come for us to start looking for the members of the firing squad that night."

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In the summer of 1975 a seemingly humdrum civil trial began in Department 32 of the Los Angeles Superior Court. The plaintiff was Jerry Owen, who five years before had sued KCOP-TV for breach of contract and defamation of character after it had canceled his new program *The Walking Bible*. Cancellation came after Christian, seeking the source of the large amounts of money Owen was spending on the show, called the station's attention to the preacher's curious background. Management panicked and threw Owen off the air, whereupon he filed suit.

When the case finally came to trial, Owen had no idea that the RFK issue would be raised. At our urging, KCOP eventually retained Bugliosi, who years before had become intrigued with our investigative file, to put on an affirmative defense—that is, prove that Owen was involved in the RFK assassination.

Bugliosi tried to subpoena John Chris Weatherly and another witness at Wild Bill's Stables, but they skipped in apparent fear for their lives. Yet Bugliosi did persuade a balky Bill Powers to take the stand. The cowboy testified about the preacher's arrival at the stables shortly before the election in a newly acquired Lincoln Continental, about Owen's flashing of a thick roll of $1,000 bills and about the diminutive man in the backseat who he thought was Sirhan.

If Owen was stunned by Powers's appearance, we were equally amazed by a character witness of Owen's, from Miami. Her name was Gail Aiken, and during her years in Los Angeles she had been one of Owen's most devoted followers. She was also the older sister of Arthur Bremer. In May 1972, Bremer gunned down Governor George C. Wallace as he campaigned in Maryland for the presidency. Polls then indicated that if Wallace ran in November as an independent, he could siphon off enough votes from Richard Nixon to pull any Democratic candidate dead-even.

"Do you know Arthur Bremer's sister?" Bugliosi asked Owen on cross-examination. The preacher seemed startled that the relationship was known. He hemmed and hawed, then grudgingly conceded that he knew Gail Aiken. Not surprisingly, Aiken was spirited back to Miami before she could testify.

The trial reached its climax when Owen's attorney tried to rebut Powers's identification of Sirhan. He hastily produced Jackie Gray, a mulatto son of ex-boxer Johnny Gray (who had been a passenger in the Continental) to say that it had been he (Jackie) in the backseat. But Bugliosi elicited from young Gray that he was only 13 at the time—Sirhan was 23—and that his only visit to the stables had been several months earlier. In 1978 we learned from Jackie Gray's sister, Brenda, that Owen had dyed her brother's sandy-colored hair jet-black—to try to match that of Sirhan—just before the boy's court appearance.

Things continued to backfire for Owen. Jackie Gray was obviously of limited mentality, but it also was clear that in his simplicity he was incapable of guile. Bugliosi began gentle questioning. Yes, Jackie Gray said, his father had frequently mentioned Sirhan. "He told you that he knows Sirhan very well, is that correct?" Bugliosi asked. Yes, Gray replied.

"Where did he tell you he first met him?"

Without hesitation Gray answered, "Through Mr. Owen."

Owen's attorney shot to his feet, frantically trying to impeach his own witness. But Judge Jack A. Crickard orally tested Gray and found him competent. "Did you hear Reverend Owen talk about Sirhan many times?" Bugliosi continued. Yes, Gray said, Owen mentioned buying Sirhan clothes and giving him money. It seemed a strange relationship indeed. Bugliosi then flashed onto something he had seen in our files—the possibility that Sirhan was a real-life Manchurian Candidate.

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Richard Condon's chilling novel of that name was based on Russian and CIA experimentation in hypnoprogramming a subject to kill, carried out during the Korean War. There was, in fact, an authentic case history: In Denmark in 1952 an ex-convict named Bjorn Nielsen hypnoprogrammed a pliable associate to rob banks and to shoot anyone who resisted. To override his colleague's reluctance to kill, Nielsen implanted the notion that the money was to be used for the high moral purpose of unifying Scandinavia. When the man was finally captured, he could remember nothing. Nielsen had induced an amnesia block. It took a prison psychiatrist 19 months to unlock his mind and unmask Nielsen.

When Sirhan arrived at San Quentin, he was examined by the prison's psychological-testing chief, Dr. Eduard Simson-Kallas. By virtue of his European training, Simson-Kallas was well-aware of the criminal potential of hypnosis. The more he probed Sirhan's mind, the more he became convinced that Sirhan had been hypnoprogrammed to shoot Robert Kennedy as an enemy of the Palestinian people. The doctor began deprogramming procedures, but was cut off by prison authorities.

"If I had been allowed to spend as much time with him as necessary, I would have found out something," the doctor told us.

. . .

This was what Bugliosi had in mind when he asked Jackie Gray, "Did you ever hear your father or Reverend Owen say anything about Sirhan being in a trance?"

Gray responded: "This is in a room to hisself [sic], in a room that he always been in, in a room that some of the things he is doing is wrong."

Bugliosi recalled that at Sirhan's trial there had been professional testimony that the incriminating passages in his notebooks—such as "RFK must die!"—had been written in a trance.

"Did you ever hear them say that sometimes Sirhan would do things and not know that he did them?" Bugliosi asked.

"Right," Jackie Gray replied matter-of-factly.

Judge Crickard was plainly annoyed that far-reaching criminal questions had been raised in a civil forum. (He awarded Owen an amount barely sufficient to pay lawyers' fees.) Inadvertently, the jurist was right: The reinvestigation of RFK's assassination belongs in the hands of a special prosecutor and criminal grand jury.

And one of the most fertile areas to be probed concerns the late Dr. William Joseph Bryan, Jr., a medical hypnotist who immodestly characterized himself as "probably the leading expert in the world." During the Korean War, Bryan was, in his words, "Chief of all medical survival training for the United States Air Force, which meant the brainwashing section." Also, he reportedly served as a consultant to the CIA in its experiments with mind control and behavior modification. Bryan became so recognized in the field of hypnoprogramming that he was enlisted as a technical adviser (medical hypnosis) for the film version of *The Manchurian Candidate*.

In the early '60s he set up practice on Hollywood's Sunset Strip and formed the American Institute of Hypnosis, which staged touring symposiums on such topics as "Successful Treatments of Sexual Disorders." He once told a magazine interviewer, "One way of getting to know people is through [sexual] intercourse," a theory he applied too diligently. In 1969 the California Board of Medical Examiners found him guilty of unprofessional conduct for sexually molesting four female patients who submitted under hypnosis.

Paradoxically, Bryan (like Jerry Owen) was a Bible-thumping fundamentalist. He also claimed to be a descendant of William Jennings Bryan, who during the celebrated "Scopes monkey trial" in the 1920s had opposed the teaching of evolution. Dr. Bryan fre-

David Atlee Phillips - Letelier Killing Suits

quently was a fire-and-brimstone preacher at fundamentalist churches throughout Southern California.

What initially focused our attention on Bryan was an entry in Sirhan's notebooks that read, "God help me. . . .Please help. Salvo Di Di Salvo Die S Salvo." The jumble was characteristic of a trance condition, but the reference was clearly to Albert Di Salvo, the notorious Boston Strangler. Bryan, who was often called into baffling cases by police agencies (especially the LAPD), had cracked the Boston Strangler case through hypnotism. It was his tour de force, and he was constantly bragging about it.

In 1972, Sirhan informed us that the name Di Salvo meant absolutely nothing to him—he said he didn't even know about the Boston Strangler. That is when Dr. Herbert Spiegel, a prominent New York authority on hypnosis, provided us with a clue to the strange diary entry. Anything mentioned in the presence of a subject under hypnosis is automatically etched in his mind, Spiegel said, especially if it comes from the hypnotist. And it might flow out at any time, either verbally or in "automatic writing."

Had the egotistical Dr. Bryan hypnotized Sirhan? After Bryan's sudden death in 1977 in Las Vegas, two Beverly Hills call girls who knew him intimately volunteered information. The girls, who called themselves Diana and Janice, said they had been "servicing" Bryan about twice a month over a four-year period. Bryan confided to them that he was not only a CIA agent but was also deeply involved in top-secret projects. When he told about crawling over rooftops at night in Europe, however, the girls were a bit skeptical: "We couldn't see Doc doing that kind of thing—not all 300 pounds of him," Janice laughed.

During the last year of his life Bryan grew progressively more depressed. His girlfriend had run off with another man, the girls said, and they boosted the doctor's ego by urging him to talk about all the famous people he had hypnotized. Bryan boasted of deprogramming Di Salvo, then mentioned hypnotizing Sirhan Sirhan. However, the girls erroneously assumed that he had hypnotized Sirhan *after* the assassination, because he had told them many times that he had worked with the LAPD on big murder cases.

Janice thought that Bryan had also named James Earl Ray (who stayed in a Hollywood hotel in the weeks prior to the Martin Luther King assassination). Diana said she was "absolutely positive" that Bryan also mentioned the man convicted of that killing.

Ultimately, the role of Dr. Bryan points up the need for a special prosecutor to actually delve into the battery of unanswered questions surrounding the death of Robert F. Kennedy. For example, what was the actual nature of Jerry Owen's association with Sirhan? Who was the girl in the polka-dot dress?—was she the equivalent of the Queen of Hearts in *The Manchurian Candidate*, there to trigger Sirhan's trance?

Sirhan's gun held only eight shots. Who fired the rest—including the fatal shots? What about security guard Thane Cesar? What are the connections between the RFK assassination and other political and quasipolitical killings perpetrated in America during the past 15 years?

As the police inspector in Eric Ambler's classic *A Coffin for Dimitrios* admonishes, "The important thing to know about assassinations is not who fired the gun, but who paid for the bullets."

6-11-83

JACK
ANDERSON

CIA plays by own rules in libel case

WASHINGTON — The Central Intelligence Agency has always played by its own rules. Nowhere has this been more evident than in the spy agency's guerrilla war with those who write about CIA deeds and misdeeds.

Now, a federal judge has given the CIA and its agents a veritable nuclear bomb to drop on anyone who has the temerity to criticize them. Here's the appalling story:

David Atlee Phillips is a litigious former spook who was accused by author Donald Freed of trying to cover up the CIA's alleged advance knowledge of plans to assassinate Chilean exile leader Orlando Letelier. The distinguished former ambassador was blown to bits on September 21, 1976, as he was driving along Embassy Row in Washington, D.C. A young American co-worker, Ronni Moffitt, was also killed in the bomb blast.

Phillips filed a multi-million-dollar libel suit against Freed for the accusations contained in his book, "Death in Washington." But Phillips has refused to follow the standard rules of legal discovery and answer questions asked by the defendant's lawyer about CIA activities — which are obviously a vital ingredient of Freed's defense against the libel charge.

The CIA has backed Phillips all the way. The agency even sent a lawyer and a classification expert to Phillips' deposition to make sure he didn't answer any questions that would embarrass the agency. They hauled out the Watergate-tarnished shield of "national security" — and U.S. District Court Judge Thomas Jackson bought their arguments. He ruled that Phillips didn't have to answer questions about his CIA work, even though that's what the libel suit is all about.

It happens that I know something about the legalities involved here. Back in 1975, I brought suit against President Nixon over illegal CIA surveillance of me and my staff.

As part of the discovery process in Anderson vs Nixon, my attorneys cross-examined former CIA director Richard Helms, who refused to answer several key questions because of "national security." Federal Judge Gerhard A. Gesell allowed him to keep silent.

Then the president's lawyers demandcd that I reveal the sources of columns in which I had exposed White House wrongdoing. All but two sources agreed to let me identify them. So I refused to answer two questions, which would have revealed just two sources. In contrast, Helms refused to answer dozens of questions. But the judge compelled me to answer. When I wouldn't do it, he threw out my case.

Now again, an ex-CIA official is refusing to answer questions he doesn't want to. Yet the court lets him proceed with his lawsuit anyway. It is, to say the least, a double standard of jurisprudence.

Decision will 'muzzle' writers

The decision in the Phillips case has given civil liberties experts the chills. They point out that Judge Jackson's decision, if allowed to stand, would effectively muzzle anyone who writes something the CIA or its former agents don't like. The threat of a libel suit, in which the defense is shackled, is enough to scare off all but the most reckless writers and publishers.

David Sobel, former staff counsel for the Campaign for Political Rights, told my associate John Dillon: "If the principle is established that a plaintiff in a libel suit can refuse to answer questions but still proceed with the suit, then it will be open season on anybody who writes anything about intelligence agencies." That, of course, is precisely what the CIA would like.

Phillips was the logical choice to carry the CIA's banner in this disturbing case. After leaving the CIA in 1975, Phillips founded the Association of Former Intelligence Officers and later a "legal action" group called CHALLENGE. According to Phillips, the purpose of CHALLENGE was "to assist former intelligence persons who have been libeled or slandered."

In a fund-raising letter, Phillips explained his plans this way: "It's time to challenge this malicious treatment in public print and public forums. A test case should be mounted against writers who defame ex-intelligence officers."

According to court testimony, Phillips raised more than $30,000 for such a test — and the first one he brought was his own. He sued Washingtonian Magazine over a story that linked him to presidential assassin Lee Harvey Oswald. The libel suit was thrown out by a Montgomery County (Md.) judge. Phillips then used his CHALLENGE funds to go after Freed.

Freed had charged in his book that Phillips was head of Latin American operations until his retirement in 1975, and thus was closely tied to DINA, the Chilean secret police, whose chief was later indicted for the Letelier-Moffitt murders.

But when asked about his CIA background by Freed's lawyers, Phillips refused to answer, saying that to describe his work for the agency would violate his secrecy agreement. The CIA gladly backed him in his refusal.

Freed's lawyers asked for a dismissal. One judge did in fact order Phillips to answer details of his CIA work. But then the case was assigned to Judge Jackson, who reversed the earlier order and let Phillips keep mum.

Phillips' deposition was taken in March. Two CIA officials and a deputy assistant U.S. attorney were on hand to screen the questions Freed's lawyers asked. Phillips refused to answer any questions on his CIA work or his connection with Chile.

In short, he refused to discuss the details of the alleged events that formed the entire basis of his lawsuit. And the judge went along with it. So what we have is a plaintiff who can sue with impunity and with no fear of embarrassment. He's eating his cake and having it too.

Footnote: Freed's lawyer, Melvin Wulf, said he'll ask for permission to appeal Judge Jackson's ruling. Phillips refused to comment. His lawyer, James Bierbower, did not return calls for comment.

Memorial services scheduled for ex-newsman Ron Reiland

DMN 6-1-83

Memorial services for Ron Reiland of Richardson, a former cameraman and news editor for WFAA-TV (Channel 8) who was known for his coverage of the Kennedy assassination, will be held at 11 a.m. Wednesday at the Unity Church of Dallas. His body has been donated to Southwestern Medical Center.

Reiland, 65, died Monday at Medical City Hospital after a long illness.

Reiland joined WFAA-TV in the early 1960s, serving as a cameraman and, later, as news editor. He was one of the few camermen in the nation who captured on film the assassination of President John F. Kennedy. He also filmed police discovering the assassination rifle on the sixtlf floor of the Texas School Book Depository Building and assassination suspect Lee Harvey Oswald being fatally shot by Jack Ruby.

While at WFAA-TV, Reiland assisted in the development of the Dallas Fire Department's public-relations program. His volunteer work resulted in several Texas cities naming Reiland an honorary firefighter.

Reiland left WFAA-TV in the late 1960s and served for six months as news director of KIII in Corpus Christi.

He then moved back to the Dallas area and joined KXTX-TV (Channel 39), where he served as assistant news director from 1967 to 1970.

For the past 12 years, Reiland was employed with Computer Language Research, also known as Fast-Tax. He retired one month before his death.

He is survived by his wife, Sheena Gordon Reiland of Dallas; a son, Robin Reiland of Houston; a daughter, Rahnee Reiland of Dallas; a sister, Donna Ward of Whittier, Calif., and a brother, Norman Reiland.

(The DMN got the info from Reiland's widow. His film officially begins with scenes at the Tippit murder site - no pro movie cameraman ever filmed JFK in Dealey Plaza, unless Reiland's film was "confiscated.")

DMN 6-18-83

Reporter sues bank, The News

Associated Press

ABILENE — A former reporter for *The Dallas Morning News* filed a libel suit Friday against Abilene National Bank and a former bank president. The suit also seeks damages from *The News*.

Earl Golz contends in the suit, filed in an Abilene state District Court, that he was defamed by an advertisement seeking to refute a July 9, 1982, story Golz wrote for *The News* about loan problems at the bank.

Defendant Don Earney, former president of Abilene National, said Friday that he stood by his statements in the ad and was "very happy" Golz filed suit.

"I think it's going to put us in the position of being able to determine where he got the information (in the story), and I think that then (they) would perhaps disclose to us why they did it," Earney said.

The Golz suit said *The News* endorsed the alleged defamation by firing Golz on July 29, 1982. The suit says *The News* conspired with the bank and bank officials to "destroy plaintiff's reputation, career and livelihood."

Burl Osborne, senior vice president and editor of *The News*, said Friday, "I have not seen the suit. However, we have not wrongfully discharged anyone, nor have we conspired to wrongly discharge anyone."

The lawsuit, which seeks unspecified damages, said the bank defamed Golz in an ad published July 15, 1982, in the southwest edition of the *Wall Street Journal* and on July 16 in the *Abilene Reporter-News*, the *Fort Worth Star-Telegram* and the *Dallas Times Herald*.

The suit said the advertisement labeled the story by Golz a "blatant lie."

"In fact, plaintiff's article was not a 'blatant lie;' it was substantially accurate and well-documented," the lawsuit said.

The suit also names as defendants the bank's parent company, Mercantile Texas Corp., and its former parent corporation, Consolidated Investors, which was called Consolidated Bancshares when it owned Abilene National Bank. Earney is now chairman and president of Consolidated Investors.

Mercantile took over Abilene National Bank on Aug. 6, 1982, after the federal comptroller of the currency reported that the bank was in imminent danger of failure.

FWST 6-18-83

Reporter sues bank, others for libel

By ERNIE HOOD
Star-Telegram Writer

ABILENE — Earl Golz, a former reporter for the *Dallas Morning News*, filed a libel suit Friday against Abilene National Bank, its former and present parent corporations, former ANB president Don Earney and Golz's former employer, the *News*.

Golz contends in the action, filed in 42nd State District Court, that an advertisement signed by Earney and published in the southwest edition of the *Wall Street Journal* and other Texas newspapers, including the *Star-Telegram*, on July 15, 1982, maliciously defamed him.

Golz, who was fired from the Dallas newspaper July 29, 1982, is also suing the *News*, charging that the newspaper, the bank and Earney "entered a conspiracy to destroy the plaintiff's reputation, career and livelihood and to tortuously interfere with the plaintiff's employment contract."

By its wrongful firing of him, Golz contends the *News* endorsed and therefore is also liable in the defamation he alleges. The suit seeks unspecified damages against the defendants.

Spokesmen for the *News* and the Abilene bank both declined comment because they had not received a copy of the lawsuit, they said.

The suit was filed by Golz's attorney, Michael Essmyer of Houston.

The advertisement Golz claims is libelous had branded a July 9, 1982, article by Golz in the *News* on the financial condition of Abilene National Bank as a "blatant lie."

The suit contends, "In fact, the plaintiff's article was not 'a blatant lie;' it was substantially accurate and well-documented.

"The bank had such extensive loan problems that on Aug. 6, 1982, Abilene National Bank was taken over by Mercantile Texas Corporation, acting under emergency federal authority."

In the advertisement, Earney undertook to rebut major points of the reporter's article on energy-related loans by the bank.

Earney labeled a "blatant lie" headlines over Golz's story: "Officials probe bank in Abilene" and "FBI investigates bank in Abilene."

In the ad, Earney sought to show that the bank stood to lose nothing at all or substantially less on specific loan transactions than Golz stated or implied in his article.

Of one such transaction, a $550,000 loan to former Woodson State Bank President Tommy Ballard, Earney said: "I think we will recover all our money."

However, after foreclosure sales of both Ballard's total bank stock and a Parker County farm later put up as collateral for the loan, Abilene National recently filed suit against Ballard and his wife for $655,989.

The bank claims the Ballards owe the bank that amount after defaulting on a second note made at ANB in April 1982.

Ballard is now serving a federal prison sentence for theft from the now-defunct Woodson Bank.

BRIEFS....This may be a better way to get back on schedule - how about skipping the July issue and putting out August in mid-September, just like normal? OK, you talked me into it....My apologies to those who've waited eagerly for Part 4 of the Oswald exhumation story - hopefully I'll have more in August....Some of JFK's private recordings (from a Dictabelt machine!) of telephone conversations have been released by the JFK library, and one includes RFK asking his brother about arresting General Edwin Walker for stirring up trouble over the Meredith issue in Missippi - could LHO have overheard and decided to take matters into his own hands? Nah!....Kansas City mob leader Nick Civella died last March 12 of lung cancer....Now that Carlos Marcello is in the can, will he talk? Not on your life, or his either....Still locked up in the Brilab files are the tapes and transcripts used to convict him, including his numerous references to the JFK assassination....The Jack Anderson column about Phillips did not run in any of our 3 dailies, so I called the editorial page editor of the FWST, Kyle Thompson, to complain; I pointed out the local angle (Phillips and his brother were born and raised here) and the precedent set by the judge, an issue the FWST has been strongly against; Thompson responded that nobody believes much of what Anderson writes and that he's just a gossip columnist. Gee!....Thanks to Gary Shaw, who just happened to spot the column while passing through the Atlanta airport, for that and several other clippings....I now have a video tape of James Earl Ray on Lie Detector, and will print a partial transcript; Ray, who's always been his own worst enemy, apparently tried to control his muscles and reflexes and was judged deceptive - more next month.

COVERUPS! is published monthly with 8 or more pages of useful information for JFK researchers and historians. Subscription price in North America is $1.00 (US) per issue; residents of other countries should write for foreign rates. Back issues are available at your regular subscription price. Your subscription expires with the issue number on your address label. Original manuscripts, articles and newspaper clippings are always appreciated—your contributions are essential for a good newsletter!

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